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September 20, 2005

Via FedEx

Michael J. Beck, Clerk of the Panel  
Judicial Panel on Multidistrict Litigation  
Thurgood Marshall Federal Judiciary Building  
One Columbus Circle, N.E.  
Room G-255, North Lobby  
Washington, DC 20002-8004

Re: In re: Zyprexa Products Liability Litigation  
MDL Docket No. 1596

Dear Mr. Beck:

On behalf of Movant Eli Lilly and Company, I enclose for filing a Notice of Potential Tag-Along Actions. I enclose a self-addressed, stamped envelope for your convenience in returning a filed stamped copy to me for our files.

Respectfully,



Matthew J. Hamilton

Enclosures

Philadelphia

Washington, D.C.

Detroit

New York

Pittsburgh

Berwyn

Harrisburg

Orange County

Princeton

Wilmington

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**NOTICE OF POTENTIAL TAG-ALONG ACTIONS (ANDERSON ET AL.)**

Movant Eli Lilly and Company (“Lilly”), pursuant to Rule 7.5(e) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, hereby notifies the Clerk of the Panel of potential tag-along actions as set forth in the attached Schedule and states as follows:

1. By Motion to Transfer dated December 22, 2003, filed by the Panel on December 31, 2003, Lilly sought consolidation and coordination of eight actions as set forth in the Schedule of Actions attached thereto.

2. By Transfer Order dated April 14, 2004, the Panel ordered that the actions subject to Lilly's Motion for Transfer be transferred to the District Court for the Eastern District of New York and assigned to the Honorable Jack B. Weinstein for coordinated and consolidated pretrial proceedings.

3. There are now additional actions pending in federal courts that involve common questions of fact and law:

- Anderson et al. v. Eli Lilly and Company (D.Minn.), in which plaintiffs allege that they ingested Zyprexa® and suffered injuries, including diabetes, as a result.
- Foster v. Eli Lilly and Company (N.D.Ala.), in which plaintiff alleges that he ingested Zyprexa® and suffered injuries, including diabetes, as a result.
- Hunter v. Eli Lilly and Company et al. (W.D.Mo.), in which plaintiff alleges that her decedent ingested Zyprexa® and suffered injuries as a result, and seeks to represent a class of all persons allegedly injured by Zyprexa®.
- Nielsen et al. v. Eli Lilly and Company (D.Minn.), in which plaintiffs allege that they ingested Zyprexa® and suffered injuries, including diabetes, as a result.
- Preston v. Eli Lilly and Company (D.Idaho), in which plaintiff alleges that he ingested Zyprexa® and suffered injuries, including diabetes, as a result.
- Speaks v. Eli Lilly and Company (M.D.Ala.), in which plaintiff alleges that he ingested Zyprexa® and suffered injuries, including diabetes, as a result.
- Turnbull et al. v. Eli Lilly and Company (D.Minn.), in which plaintiffs allege that they ingested Zyprexa® and suffered injuries, including diabetes, as a result.

4. Copies of the Complaints are attached hereto for the Panel's Convenience.

5. The potential tag-along actions, like those actions identified in the Schedule of Actions attached to Lilly's Motion to Transfer, involve allegations that Zyprexa® caused injuries, including diabetes.

6. Transfer of the potential tag-along actions to the Eastern District of New York for consolidated and coordinated pre-trial proceedings is therefore appropriate for the same reasons as set forth in Lilly's Motion to Transfer and Brief in Support thereof.

Respectfully submitted,



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Attorneys for Defendant Eli Lilly and  
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Dated: September 20, 2005

SCHEDULE

Name of Action	District Court and Division	Civil Number	Judge (if assigned)
John R. Anderson, Steve Antecki, Richard M. Dykstra, Debra S. Faber, Theresa Argersinger, Janet L. Tibbe, Gloria L. Paterson, James A. Shields, and Nathaniel Cole v. Eli Lilly and Company	District of Minnesota	0:05-CV-02132-MJD-JJG	Hon. Michael J Davis
Robert Foster v. Eli Lilly and Company	Northern District of Alabama	2:05-CV-01921-WMA	Hon. William M Acker Jr.
Shontil Hunter v. Eli Lilly and Company, Rainbow Mental Health Facility, Kuldeep K. Singh, M.D., Wyandotte Center for Community Behavioral Healthcare, Jorge D. Gandolfo, M.D., and Andrei A. Pikalov, M.D.	Western District of Missouri	4:05-CV-00839-ODS	Hon. Ortrie D. Smith
Kent L. Nielsen, Wayne Blackham, Sherene Demings, Nicole Ervin, Debbie Gibson, Jan Glover, Shannon Gorder, Kim Kankelborg, Maggie Kunz, Lisa McNeill, Lyle Meadows, Michael Miller, Pam Morse and Leonard Wadman v. Eli Lilly and Company	District of Minnesota	0:05-CV-02131-ADM-JSM	Hon. Ann D Montgomery
Tom W. Preston v. Eli Lilly and Company	District of Idaho	1:05-CV-00350-LMB	Hon. Larry M. Boyle
Forest Speaks v. Eli Lilly and Company	Middle District of Alabama	2:05-CV-00873-DRB	Hon. Delores R. Boyd
Steven J. Turnbull, Janet A. Hartsfield, Stephen A. Bazzano, Thomas J. Bittelari, Kenneth Booze, Miki T. Calbero, Loretta Earl, Mark S. Hillyer, Lynda A. Howard, Joseph Y. Lee, Robert M. Waite and Lucille S. Walker v. Eli Lilly and Company	District of Minnesota	0:05-CV-02130-RHK-JSM	Hon. Richard H Kyle

**CERTIFICATE OF SERVICE**

I, Matthew J. Hamilton, hereby certify that on September 20, 2005, I caused to be served a true and correct copy of the foregoing Notice of Potential Tag-Along Action upon the following by United States Mail, First Class postage prepaid.

Rhett McSweeney, Esq.  
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**Counsel for Plaintiff Preston**



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Matthew J. Hamilton